

**NURSING HOME ADMINISTRATOR EXAMINING BOARD
MINUTES
MADISON, WISCONSIN
MARCH 21, 2002**

PRESENT: David Egan, Dr. Robert Kessler, Robert Mulder, Karen Robinson, Jerry Schallock, and Roxann Sobek

ABSENT: Anthony Oberbrunner and Patricia Schulz

STAFF PRESENT: Cletus Hansen; Jefferson-Moore, Legal Counsel; Jack Temby and other members of the DOE Business Team for a portion of the meeting.

CALL TO ORDER

The meeting was called to order at 9:40 a.m. by Karen Robinson, Chair. A quorum of six voting members was present.

AGENDA

The agenda were informally approved.

MINUTES (12/13//01)

MOTION: Robert Mulder moved, seconded by Robert Kessler, to approve the minutes, as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Bureau Director's Report

- **Board Roster**

Board members noted the reappointment of Jerry Schallock and Patricia Schulz to the Board.

- **2002 Meeting Dates**

Clete Hansen, at the request of Katharine Hildebrand, asked the Board members whether they would prefer having a board member workshop on one of the following Fridays in June: June 7, 21 or 28, or whether they would prefer the Thursday before one of these dates. Board members suggested that, depending on their agenda, they would prefer a telephone conference on Wednesday and the Board Member Workshop on Thursday. They also suggested that, if the Workshop is held on a Friday, staff might want to videotape it, so board members might review the tape later.

- **To-Do List**

Noted

- **Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules**

Noted

- **Monthly Press Releases**

Noted

- **Reorganization of the Department**

Clete Hansen explained the organization chart and introduced Greg Horstman (Deputy Secretary) and Barry Wanner (Administrator of the Division of Enforcement).

- **To-Pass Folder**

Noted

LEGISLATIVE UPDATE

AB 427, Relating to Requirements that Apply to a Person Taking the Examination for a Nursing Home Administrator License

The board meeting packet included copies of testimony given at the Senate Committee hearing and the hearing report. Clete Hansen informed the Board that Representative Sheldon Wasserman has informed the Department that the bill did not make it to the Senate Floor before the end of the current regular session.

The Board noted questions, relating to implementing AB 427 submitted by Connie Ducklow.

AB 924, Relating to Licensing Hospital Administrators

MOTION: Robert Mulder moved, seconded by Robert Kessler, to approve to support AB 924. Motion carried unanimously.

ADMINISTRATIVE RULES UPDATE

The Chair informed Board members that this item was on the agenda, so that, if AB 427 had passed, the Board could have begun to discuss the rule changes that would have been required by the revised statutes.

EXAMINATION ISSUES

The Board noted that the meeting packet included a copy of the Revised NHA Information to Candidates Handbook.

APPROVAL OF CONTINUING EDUCATION COURSES

Michael R. Klatt (Belle Plaine, MN)

MOTION: Jerry Schallock moved, seconded by Roxann Sobek, to advise Mr. Klatt to submit a request to the NAB. If the NAB denies approval, Mr. Klatt should again send a request to the Board. The Board authorizes Karen Robinson to approve or deny the courses on behalf of the Board. Motion carried unanimously.

The Board also requested that an article be included in the next issue of the Regulatory Digest, informing licensees that they must initially submit materials for approval of continuing education courses to the NAB. The Board will only review such materials, if the NAB denies approval of them.

Jennifer J. Peterson Albers (Springfield, IL)

MOTION: David Egan moved, seconded by Robert Mulder, to accept the graduate program as completion of the continuing education requirements for the 2001-2002 biennium which will end on June 30, 2002. Motion carried unanimously.

BOARD MEMBER ACTIVITY

Karen Robinson said that there were 3 nursing home administrators at the last Bureau of Quality Assurance (BQA) meeting. Attendees discussed various trends, such as the fact that there appears to be a turnaround in staffing problems. The group also discussed the IVR system of the BQA and the fact that revising HFS 132 appears not to be making any headway.

NAB MID-YEAR MEETING HIGHLIGHTS

MOTION: Roxann Sobek moved, seconded by Robert Kessler, to authorize David Egan to represent the Board at the NAB Annual Meeting on June 12-14, 2002. Motion carried unanimously.

The Board had no suggestions for responding to a NAB survey, included in the meeting packet.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Monthly Rule Summary of the Bureau of Quality Assurance

Noted

Other

The Board noted a news article, entitled: “Couple Who Sued State Over Medicaid Lost Life’s Savings After Woman’s Stroke.” Ruby Jefferson-Moore informed the Board that the Wisconsin Supreme Court had upheld Wisconsin’s method for determining Medicaid eligibility.

NEW BUSINESS

Karen Robinson requested of Colleen Baird and Claudia Berry Miran that they include her in any meeting that they schedule with the Wisconsin Department of Justice and the Department of Health and Family Services, regarding enforcement issues.

RECESS TO CLOSED SESSION

MOTION: Roxann Sobek moved, seconded by David Egan, to convene the meeting in Closed Session pursuant to sections 19.85(1)(a), (b), (f) and (g), Wis. Stats.: to consider the licensing or discipline of a person licensed by the Board or the investigation of charges against such a person, and to discuss the case status report and case closings. Motion carried by a roll call vote: David Egan - yes; Dr. Robert Kessler - yes; Jerry Schallock - yes; Roxann Sobek - yes; Robert Mulder - yes; Karen Robinson - yes. Motion carried unanimously.

Open Session recessed at 11:10 a.m.

The Board deliberated on a case recommended for closing by the Division of Enforcement.

Jack Temby distributed a revised Case Status Report and introduced the new Business Team in DOE. Board members asked questions about DOE procedures and agreed to meet individually with investigators after the Board meeting, for the purpose of discussing specific cases that have been assigned to them.

Karen Robinson requested that DOE make a quarterly report to the Board on the status of open cases. Since the Board now meets once each quarter, Ms. Robinson’s request means that DOE would make a report at each Board meeting.

RECONVENE IN OPEN SESSION

MOTION: David Egan moved, seconded by Roxann Sobek, reconvene in Open Session at 11:37 a. m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

CASE CLOSINGS

MOTION: David Egan moved, seconded by Robert Mulder, to close case #99 NHA 029 for P5, with the understanding that this code will result in the licensing file being flagged, in case the respondent again applies for licensure. Motion carried unanimously.

ADJOURNMENT

MOTION: Robert Kessler moved, seconded by Robert Mulder, to adjourn the meeting at 11:38 a. m. Motion carried unanimously.